

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
BOSTON DIVISION**

ELEANOR McCULLEN, JEAN)	
BLACKBURN ZARRELLA,)	
GREGORY A. SMITH, CARMEL)	
FARRELL, and ERIC CADIN,)	
	Civil Action No. 1:08-cv-10066-JLT
Plaintiffs,)	
)
v.)	
)
MARTHA COAKLEY, Attorney)	
General for the COMMONWEALTH OF)	
MASSACHUSETTS,)	
)
Defendant.)	

NOTICE OF APPEAL

Notice is hereby given that, pursuant to 28 U.S.C. §1292(a)(1) and Fed. R. App. P. 3, all plaintiffs appeal to the United States Court of Appeals for the First Circuit from the order denying preliminary and permanent injunctive relief entered on August 22, 2008 by the United States District Court for the District of Massachusetts, Boston Division (TAURO, J.).

Respectfully submitted,

/s/ Michael J. DePrimo
Michael J. DePrimo, CT Bar # 402211
Admitted *pro hac vice*
Attorney at Law
778 Choate Avenue
Hamden, Connecticut 06518
Tel: (662) 491-2000
Fax: (203) 281-1496
Email: michaeldeprimo@gmail.com

Philip D. Moran, MA Bar # 353920
Philip D. Moran P.C.
265 Essex Street, Suite 202
Salem, Massachusetts 01970
Tel: (978) 745-6085
Fax: (978) 741-2572
Email: philipmoranesq@aol.com

Benjamin W. Bull, AZ Bar # 009940
Admitted *pro hac vice*
Alliance Defense Fund
15100 N. 90th Street
Scottsdale, Arizona 85260
Tel: (480) 444-0020
Fax: (480) 444-0028
Email: bbull@telladf.org

Kevin H. Theriot, KS Bar # 21565
Admitted *pro hac vice*
Alliance Defense Fund
15192 Rosewood
Leawood, Kansas 66224
Tel: (913) 685-8000
Fax: (913) 685-8001
Email: ktheriot@telladf.org

Timothy D. Chandler, CA Bar # 234325
Admitted *pro hac vice*
Alliance Defense Fund
101 Parkshore Drive, Suite 100
Folsom, California 95630
Tel: (916) 932-2850
Fax: (916) 932-2851
Email: tchandler@telladf.org

CERTIFICATE OF SERVICE

I hereby certify that on September 16, 2008, I electronically submitted Plaintiffs' Notice of Appeal to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Kenneth W. Salinger
ken.salinger@state.ma.us

Anna-Marie L. Tabor
anna-marie.tabor@state.ma.us

Attorneys for Defendant

/s/ Michael J. DePrimo
Michael J. DePrimo